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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/724,349	11/27/2000	William F. Price III	NA00-13801	7294
23419	7590	03/10/2005	EXAMINER	
COOLEY GODWARD, LLP 3000 EL CAMINO REAL 5 PALO ALTO SQUARE PALO ALTO, CA 94306			LEMMA, SAMSON B	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/724,349

Applicant(s)

PRICE, WILLIAM F.

Examiner

Samson B Lemma

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in reply to an amendment filed on October 22, 2004.

Claims 1-21 are pending.

Response to Arguments

2. Applicant's argument filed on October 10, 2004 have been fully considered but they are not persuasive.

Applicant's first argument is based on the prior art used in rejection namely LIU and NEWMAN. Applicant argued that both the references on the record have shortcomings and enumerated the following 1. The verification process is often cumbersome. 2. The key revocation process does not work well.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e. the above points that are enumerated above) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The second argument by the applicant is about the independent claims includes limitations that are not shown or suggested by the combinations of the references on the record, namely LIU and NEWMAN.

Applicant argued that the limitation in claim 1, "periodically sending a verification request from the server to the client asking if the client public key remains

Art Unit: 2132

valid" and issues of "removing or deleting key information" is not addressed by the references on the record.

Examiner disagrees with this argument.

Examiner would point out that NEWMAN, the reference on record discloses that the CDC or the central database Controller/server periodically (after-hours) make automatic checks and updates all the existing phone numbers and **public key**

contained within each clients (facsimile terminal units). [Column 6, lines 1-5] .

Furthermore NEWMAN discloses that all new FAX units (client terminals) going on-line into the network must initially register with the CDC(Central database Controller (Server). The CDC (server) thus has available in one of its memory units **the public key registry** for each new subscriber as well as the public key for each older

subscriber.[Column 5, lines 58-62]. Likewise Newman further discloses that these **new public keys and telephone numbers are immediately available**, on demand, and in the general course of business **are also sent to each facsimile terminal on a time-available basis, after hours by the CDC**. This is also true for updated facsimile terminal units which now have new **FAXphone numbers in the CDC**. [Column 5, lines 62-67].

Therefore, from what is explained above the CDC/server periodically sends a verification request to the clients asking if the clients public keys remains valid" is clearly disclosed/suggested by the references used.(NEWMAN)

With regard to applicants last argument in relation to the issues of removing or deleting key information is not addressed by the reference on the record. **Examiner will respond** the following. According to NEMAN, updating is the process of removing the old one and replacing the old one with the new one. Therefore the CDC has a capability of removing public keys that are no more in service. CDC/ central server will figure out the validity of the public keys (whether or not they need updates(removing/changing to the new one's) , since all the periodically after hour checks are made by the server on

Art Unit: 2132

each the terminals.[Column 6, lines 1-3] and at the same time each terminals or clients updates and maintains its own internal table of FaxPhone numbers and Public keys. [Column 6, lines 3-5]. One of the applicant invention which is suggested on the argument is the removing of the public keys by the server when the users dies. This is also inherently done by the CDC. For instance when the owner of the facsimile died, then the Faxphone number together with the public key will either be changed or deleted and be inoperational. The CDC (server) will figure out this when it performs the after-hour periodic checks of all the terminals registered under its database and it make the necessary updates (removing or replacing with the new one) accordingly. **NEWMAN discloses the following** in support of the Examiners respond. The next periodic after-hours update automatically checks and updates all of the existing phone numbers and public keys contained within each facsimile terminal unit. Note that each FAX updates and maintains its own internal table of FAXphone numbers and public keys.[**Column 6, lines 1-5]**

Liu also discloses deleting/removing public keys [see figure 10C, reference "1074"] Therefore all the elements of the limitations is explicitly or implicitly suggested and disclosed by the combinations of the references on the records and the rejection remains valid.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2132

4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu et al (hereinafter referred to as Liu) (U.S. Patent No. 6,760,752) in view of Newman (U.S. Patent No. 5,671,285)

5. As per claims 1, 8, and 15, Liu teaches the method, a computer readable storage medium storing instruction or an apparatus for managing public keys through a server, comprising:

receiving a client public key from a client at the server; (column 12, lines 42-45; see also figure 1).

storing the client public key in a database at the server; (column 7, lines 13-14; column 20, lines 8-9; column 21, lines 54-55; column 12, lines 46-47; see also figure 2D; column 14, line 8)

allowing other clients to lookup the client public key in the database; (column 26, lines 2-10; column 25, lines 27-36)

sending a verification request from the server to the client asking if the client public key remains valid; and (column 29, 33-35) (It is interpreted by the office that sending a verification request from the server to the client asking if the client public key is to be deleted or to remain valid whenever the client takes the initiative of deleting a key meets the recitation of this limitation).

If an affirmative response to the verification request is not received, removing the client public key from the database. (column 29, lines 36-39). (It is interpreted by

Art Unit: 2132

the office that removing the client public key from the database if an affirmative response to the verification request to delete the key is received by the server meets the recitation of this limitation).

Furthermore, Liu discloses the steps of verifying the status or the validity of a public key (column 2; line 1). Liu does not explicitly teach that the sending of a verification request from the server to the client asking if the client public key remains valid is done periodically. However, Newman discloses periodically sending a verification request (check) from the server or CDC (central database controller) to the client (Fax terminal) to verify the validity of the key and eventually update the client's public key (remove or replace the old public key with the new one) (Column 6, lines 1-3; column 5, lines 52-55). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Liu's sending of a verification request to check the validity of the public key as per teachings of Newman, in order to periodically verify the validity of the client's public key and eventually update the public key if necessary.

6. As per claims 2, 9, and 16, the combination of Liu and Newman disclose the method, a computer readable storage medium storing instruction or an apparatus as applied to claim 1, 8 and 15 above. Furthermore Liu discloses the method wherein storing the client public key in the database involves:

signing the client public key using a server private keys; (column 13, lines 32-34) and

storing the signed client public key in the database.(column 13, lines 32-34).

Art Unit: 2132

7. As per claims 3, 10, and 17, the combination of Liu and Newman disclose the method, a computer readable storage medium storing instruction or an apparatus as applied to claim 1, 8 and 15 above. Furthermore Liu discloses the method further comprising:

receiving a request at the server to remove the client public key from the database ;(column 29, lines 26-28)

if the request is signed with a corresponding client private key, removing the client public key from the database.(column 29, lines 36-38)(the office interprets the E-mail confirmation response from the client to the server to confirm the removing of the key meets the recitation of this limitation).

8. As per claims 4, 11, and 18, the combination of Liu and Newman disclose the method, a computer readable storage medium storing instruction or an apparatus as applied to claim 1, 8 and 15 above. Furthermore, Liu discloses the method wherein the client public key is removed from the database only if an affirmative response is not received after sending multiple verification requests at different times. (column 29, lines 36-39; column 2, line 1). (It is interpreted by the office that sending a verification request from the server to the client asking if the client public key is to be deleted or to remain valid whenever the client takes the initiative of deleting a key meets the recitation of this limitation).

9. As per claims 5, 12, and 19, the combination of Liu and Newman disclose the method, a computer readable storage medium storing instruction or an apparatus as

Art Unit: 2132

applied to claim 1, 8 and 15 above. Furthermore, Liu discloses the method of wherein storing the client public key in the database at the server involves:

attempting to validate an association between a client email address and the client public key; and (column 14, lines 8-13)

if the association is successfully validated, storing the association in the database.(column 14, lines 8-13).

10. As per claims 6, 13, and 20, the combination of Liu and Newman disclose the method, a computer readable storage medium storing instruction or an apparatus as applied to claim 5, 12 and 19 above. Furthermore, Liu discloses the method wherein the database contains at most one key for each email address. (column 14, lines 8-10).(the office interprets the reference used does not indicate at any place the duplication of the key for each email address and this meets the recitation of this claim.)

11. As per claims 7, 14, and 21, the combination of Liu and Newman disclose the method, a computer readable storage medium storing instruction or an apparatus as applied to claim 5, 12 and 19 above. Furthermore, Liu discloses the method wherein the database contains at most one email address for each key.(column 14, lines 8-10).(the office interprets the reference used does not indicate at any place the duplication of the email address for each key and this meets the recitation of this claim).

Conclusion

Art Unit: 2132

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

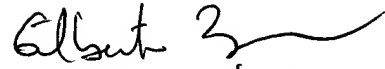
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Art Unit: 2132

SAMSON LEMMA

S.L.

March 4, 2005



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